



Board of Legal Document Preparers
Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Conference Room 109

Date: January 26, 2015
Time: 10:00 a.m.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Mary Carlton
Paul Friedman
Cheri Clark
Rebecca Nilsen

Telephonically Present:

Mary Jo Randall
Jerry Thomas
Pamela Milburn
Deborah Colon-Mateo

Absent:

Bonnie Matheson

OTHER ATTENDEES

AOC Staff:

Mark Wilson
Hal White
Michelle Martinez
Anne Hunter
Debbie MacDougall
Kim Siddall
Wendy Reiter
Michelle Jackson

Guests:

Anna Anderson
Don Steward
Allen Merrill
Wendy Powley
Kevin Sheldon
Samantha Sanders
Jessica Worley
Michael George

CALL TO ORDER

Called to Order By:

Mary Carlton

Time: 10:00 a.m.

1) REVIEW AND APPROVAL OF MEETING MINUTES

Individuals Addressing the Board: Mary Carlton

1-A: Review, discussion, and possible action regarding approval of the regular session minutes of the meeting of November 24, 2014.

Motion: Move to approve the regular session minutes of November 24, 2014 meeting.

Motion Proposals: First Paul Friedman
Second Cheri Clark

Motion Results: Pass

2) PENDING COMPLAINTS / RENEWAL OF CERTIFICATION

Individuals Addressing the Board: Debbie MacDougall

2-A: Review, discussion and possible action regarding the Division Director dismissal of the following complaint numbers –review has not been requested:

*14-L038
14-L043/14-L044
14-L045*

Discussion: On September 15, 2014, Division Director Wilson dismissed complaint number 14-L038 without prejudice upon determining the complaint does not provide specific allegations of acts of misconduct or violations of the statutes or court rules. Notice of the dismissal was forwarded to the complainant. The complainant did not request Board review of the dismissal.

Motion: Move to affirm the dismissal.

Motion Proposals: First Paul Friedman
Second Cheri Clark

Motion Results: Pass

Discussion: On October 27, 2014, Division Director Wilson dismissed complaint numbers 14-L043 and 14-L044 without prejudice upon determining the complaint does not contain the name of the complainant. It is recommended the Board affirm the dismissals.

Motion: Move to affirm the dismissals.

Motion Proposals: First Paul Friedman
Second Cheri Clark

Motion Results: Pass

Discussion: On November 6, 2014, Division Director Wilson dismissed complaint number 14-L045 without prejudice upon determining the complaint contains acts of misconduct or violations that if true, would not constitute a violation of the statutes or court rules. Notice of the dismissal was forwarded to the complainant. The complainant did not request Board review of the dismissal.

Motion: Move to affirm the dismissal.

Motion Proposals: First Paul Friedman
Second Cheri Clark

Motion Results: Pass

2-B: *Review, discussion and possible action regarding the Division Director dismissal of the following complaint numbers – review has been requested:*

14-L051/14-L052

Discussion: On October 27, 2014, Division Director Wilson dismissed complaint numbers 14-L051 and 14-L052 without prejudice upon determining the complainant failed to supply information needed to remedy an insufficient complaint or failed to demonstrate the alleged acts of misconduct are within the certificate holder's responsibilities as required by statutes, court rules, or the applicable ACJA sections. Notice of the dismissal was forwarded to the complainant. The

complainant did request Board review of the dismissal. The new information submitted was reviewed. It is recommended the Board affirm the dismissal.

Motion: Move to affirm the dismissal.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

Individuals Addressing the Board: Hal White

2-C: Review, discussion and possible action regarding the following complaints and/or renewals:

14-L011 - Carlos Galindo

14-L029/14-L030 - Jemasi Services/Maria Gil

14-L031/14-L032 - Discount Divorce Pro, LLC/James Jennings

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and entered Carlos Galindo's alleged acts unsubstantiated regarding misconduct described in Allegation 1 as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 14-L011.

It is further recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding that, although Carlos Galindo may have committed the alleged act(s) of misconduct described in Allegation 2, the matter has already been addressed by censure in complaint number 11-L005 which came before the Board in May 2013.

Motion: Move to dismiss complaint 14-L011.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Carlos Galindo's application for renewal of certification.

Motion: Move to bring applicant in for an interview.

Motion Proposals: First Paul Friedman

Second Cheri Clark

Motion Results: Pass

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Maria C. Gil and Jemasi, Inc. of unsubstantiated regarding alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint numbers 14-L029 and 14-L030.

Motion: Move to dismiss complaint numbers 14-L029 and 14-L030.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding James Jennings and Discount Divorce Pro., LLC of unsubstantiated regarding the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint numbers 14-L031 and 14-L032.

Motion: Move to dismiss complaint numbers 14-L031 and 14-L032.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

2-D: *Review, discussion and possible action regarding the following complaints and renewal of certification:*

- 13-L035 - Donald Steward*
- 14-L003 - Lisa Perez*
- 14-L025/14-L026 - AAA Legal Services/Joseph Glennon*
- 14-L027/14-L028 - Americana Services/Rebecca Cruz*
- 14-L037 - Juan Alejandro Torres*

Discussion: Complaint Number 13-L035 – Donald Steward

Donald Steward is present and addresses the Board.

The Board requests Division staff investigate further as stated.

Motion: Move to defer to next the meeting.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Complaint Number 14-L003 – Lisa Perez:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding substantiating the allegation as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 14-L003.

It is further recommended the Board issue a Letter of Concern and grant renewal of certification to Lisa Perez and Perez Paralegal Group, LLC.

Motion: Move to issue a Letter of Concern and grant renewal of certification to Lisa Perez and Perez Paralegal Group, LLC.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Complaint Numbers 14-L025/14-L026 – AAA Legal Services/
Joseph Glennon:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Joseph T. Glennon and AAA Legal Document Services, Inc. substantiating the allegations as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 14-L025 and 14-L026.

It is recommended that the Board issue a Letter of Concern.

Motion: Move to issue a Letter of Concern.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Complaint Numbers 14-L027/14-L028 – Americana Services/ Rebecca Cruz:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Rebecca Cruz and Americana Services alleged acts are substantiated as detailed in Allegations 5 and 7 of the Investigation Summary and Allegation Analysis Report in complaint number 14-L027 and 14-L028.

It is recommended the Board impose an informal disciplinary action of a Letter of Concern.

Motion: Move to accept staff’s recommendation to issue a Letter of Concern.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Complaint Number 14-L037 – Juan Alejandro Torres:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding for Juan Alejandro Torres the allegation is substantiated as detailed in Allegation 1 of the Investigation Summary and Allegation Analysis Report in complaint number 14-L037.

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Juan Alejandro Torres the allegation is unsubstantiated as detailed in Allegation 2 of the Investigation Summary and Allegation Analysis Report in complaint number 14-L037.

It is further recommended the Board issue a Letter of Concern regarding the acts described in Allegation 1 of complaint number 14-L037.

It is further recommended the Board dismiss Allegation 2 of complaint number 14-L037.

Motion: Move to accept staff’s recommendation to issue a Letter of Concern as to Allegation 1 and dismiss Allegation 2.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

2-E: *Review, discussion and possible action regarding complaint numbers 12-L001, 14-L017 and 14-L018 and renewal of certification concerning ALTA Estate Services and Alyssa Marino.*

Discussion: Complaint Numbers 12-L001, 14-L017 and 14-L018 - ALTA Estate Services and Alyssa Marino:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Alyssa Marino and has not committed the alleged act(s) of misconduct as detailed in Allegation 1 of the Investigation Summary and Allegation Analysis Report in complaint number 14-L017, 14-L018.

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Alyssa Marino and ALTA Estate Services LLC have committed the alleged act(s) of misconduct as detailed in Allegation 2 of the Investigation Summary and Allegation Analysis Report in complaint number 14-L017, 14-L018.

It is further recommended the Board consolidate this matter with complaint number 12-L001 and entry into a Consent Agreement censuring certificate holders for their conduct described in complaint numbers 12-L001, 14-L017 and 14-L018.

It is recommended the Board adopt the recommendation of the Probable Cause Evaluator in complaint numbers 14-L017 and 14-L018 and dismiss allegation 1 and resolve allegation 2 of complaint number 12-L001 by entering into the proposed Consent Agreement censuring ALTA and Alyssa Marino.

In addition, it is recommended the Board grant renewal of certification to Alyssa Marino and Alta Estates Services, LLC.

Motion: Move to accept staff's recommendation as to 12-L001, 14-L017 and 14-L018; and also grant renewal of certification to Alyssa Marino and Alta Estates Services, LLC.

Motion Proposals: First Paul Friedman

Discussion: Dina Horsman

Motion: Move to grant initial certification.

Motion Proposals: First Paul Friedman
Second Cheri Clark

Motion Results: Pass

Discussion: Joyce Rose

Motion: Move to grant initial certification and include nondisclosure language.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Maribel Nava

Motion: Move to defer and to invite applicant in for an interview.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Lupita Navarro

Motion: Move to defer and invite applicant in for interview.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

Discussion: Affordable Arizona Divorce, LLC (Jessica Worley)

Motion: Move to grant initial certification and include nondisclosure language.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Karen Fanty

Motion: Move to grant initial certification and include nondisclosure language.

Motion Proposals: First Paul Friedman
Second Cheri Clark

Motion Results: Pass

Discussion: SRF Enterprises (Susan Fowler)

Motion: Move to grant initial certification and include nondisclosure language.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Marisela Munoz

Motion: Move to grant initial certification.

Motion Proposals: First Paul Friedman
Second Rebecca L. Nilsen

Motion Results: Pass

Discussion: Zusel E. Beyra

Motion: Move to grant initial certification and include affidavit.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Regan Guthrie

Motion: Move to defer until the next meeting to allow for additional time to conduct further investigation.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Michael Gauthier

Motion: Move to grant Mr. Gauthier's request to withdraw his application.

Motion Proposals: First Rebecca Nilsen
Second Paul Friedman

Motion Results: Pass

3-B: *Review, discussion and possible action regarding the following Business Entity Exemption Requests for the 2013-2015 certification period:*

1. Affordable Arizona Divorce, LLC (Jessica Worley)
2. SRF Enterprises, LLC (Susan Fowler)

Discussion: Affordable Arizona Divorce, LLC (Jessica Worley)

Motion: Move to grant Business Entity Exemption.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: SRF Enterprises, LLC (Susan Fowler)

Motion: Move to grant Business Entity Exemption.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

4) RENEWAL CERTIFICATION APPLICATIONS

Individuals Addressing the Board: Kimberly Siddall

4-A: *Review, discussion, and possible action regarding the following pending applications for renewal of certification:*

Discussion: Patricia Steward

Motion: Move to grant renewal of certification.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Patricia Taylor, Daniel Taylor, Guardian Estate Planning Service (Daniel Taylor)

Motion: Move to grant renewal of certification.

Motion Proposals: First Paul Friedman
Second Deborah Colon-Mateo

Motion Results: Pass

Discussion: LegalZoom.com, Inc.

Motion: Move to defer to allow additional time for further investigation.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

5) CERTIFICATION AND ELIGIBILITY

Individuals Addressing the Board: Anne Hunter, Kimberly Siddall

5-A: *Review, discussion, and possible action regarding Findings of Fact, Conclusions of Law, and Recommendation in pending renewal certification application for Anna Anderson.*

Discussion: Anna Anderson, who is present and addresses the Board.

Motion: Move to grant renewal of certification.

Motion Proposals: First Paul Friedman
Second Jerry Thomas

Motion Results: 4-3 Motion did not pass.

Motion: Motion is restated to accept the recommendation of the hearing officer and deny certification.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: 6-1 Motion did not pass.

Motion: Board requests another vote. Move to accept staff's recommendation and grant renewal of certification.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

5-B: *Review, discussion, and possible action regarding the Voluntary Surrender request received from the following certificate holders:*

1. *Janet Summers*
2. *Van Rylin Associates Inc.*
3. *Emil Estopare*
4. *Affordable Document Preparation, LLC*

Discussion: Janet Summers

Motion: Move to accept the voluntary surrender of her individual certification.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Van Rylin Associates Inc.

Motion: Move to accept the voluntary surrender of business certification.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Emil Estopare

Motion: Move to accept the voluntary surrender of his individual certification.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Affordable Document Preparation, LLC

Motion: Move to accept the voluntary surrender of business certification.

Motion Proposals: First Paul Friedman
Second Rebecca Nilsen

Motion Results: Pass

6) ADMINISTRATIVE ISSUES

Individuals Addressing the Board: Debbie MacDougall

6-A: Update regarding complaints processed by diversion pursuant to Administrative Order 2012-83.

Discussion: There are no complaints that have been processed by diversion to report to the Board at this time.

CALL TO THE PUBLIC

Individuals Addressing the Board: Alan Merrill and Donald Steward

ADJOURNMENT

Motion: Adjourn the meeting.

Motion Proposals: First Rebecca Nilsen
Second Deborah Colon-Mateo

Motion Results: Pass

Time: 11:46 a.m.